



**KANSAS DENTAL BOARD MEETING MINUTES
FRIDAY, APRIL 12, 2019, 9:00 A.M.
LANDON STATE OFFICE BUILDING, 5th FLOOR
900 SW JACKSON, ROOM 560
TOPEKA, KANSAS 66612**

A. Call to Order / Approval of the Agenda.

Call to Order: Mark Herzog, D.D.S., President, called the Board meeting to order at 9:00 a.m.

Members Present at Call to Order: Mark Herzog, D.D.S., President; Jarrod Jones, D.D.S., Vice-President; Stephen Zeller, D.D.S., Secretary; Stanley Wint, D.D.S.; Daniel Thomas, D.D.S. (telephone); Jackie Leakey, R.D.H.; Jill Harding, R.D.H.; and James Kilmartin, Public Member.

Members Arriving After Call to Order: None.

Members Absent: None.

Staff Present: Randy Forbes, Attorney for the Board; Lane Hemsley, Executive Director; Charity Carlat, Senior Administrative Specialist; and Vanda Collins, Senior Administrative Assistant.

Attendees: Kevin Robertson, KDA (telephone); Maggie Smet, KDHA (telephone); Wanda Droge; Reyne Kenton, KBOP; Jackie Yingling, KBOP; and Gianna Hartwig, AAO (telephone).

Approval of the Agenda: It was moved and seconded to approve the agenda. The motion passed.

B. Minutes of January 11, 2019.

It was moved and seconded to approve the minutes of January 11, 2019. The motion passed unanimously.

C. Dentist Anesthesiologists: ADA National Commission on Recognition of Dental Specialties and Certifying Boards.

The Board received information from the ADA's National Commission on Recognition of Dental Specialties and Certifying Boards (National Commission). The National Commission determined that the requirements for recognition of dental specialties had been met and adopted a resolution recognizing dental anesthesiology as a dental specialty.

D. Specialty Licensing Discussion: Stan Wint, D.D.S.

1. **Ohio Dental Board.** The Board received and reviewed information regarding the Ohio's proposed modifications to its specialty licensing and advertising laws.

2. **Idaho Dental Board.** The Board received and reviewed information regarding Idaho's legislatively approved modifications to its specialty licensing and advertising laws.

3. **American Association of Orthodontists (AAO).** The Board received and reviewed information regarding the AAO's proposed modifications to Kansas' specialty licensing and advertising laws, including K.A.R. 71-2-2 (Branches of dentistry). The AAO's materials also included modifications to laws in Colorado and Louisiana. The Board also welcomed Gianna Hartwig, who appeared telephonically, to discuss the AAO's national work on legislative and regulatory changes to state specialty laws.

After review of the materials and extended discussion with Ms. Hartwig, it was moved and seconded to modify K.A.R. 71-2-2 (Branches of dentistry) by adding dental anesthesiology to the list of recognized dental specialties in Kansas. The motion passed unanimously. Attorney Randy Forbes was tasked with drafting the regulatory amendment and gaining the necessary approvals under the Kansas Rules and Regulations Filing Act, K.S.A. 77-415 *et seq.*

E. Stipulation and Consent Orders.

1. **John Meschke, D.D.S. (Case No. 18-94).** Attorney Randy Forbes presented the Stipulation and Consent Order. It was moved and seconded to approve the Stipulation and Consent Order, a copy of which will be posted on the Board's website. The motion passed unanimously.

2. **Anthony Turner, D.D.S. (Case No. 18-93).** Attorney Randy Forbes presented the Stipulation and Consent Order. It was moved and seconded to approve the Stipulation and Consent Order, a copy of which will be posted on the Board's website. The motion passed unanimously.

F. Request for CPR Course Approval: American Heart Saver.

The Board received a CPR Course approval request from American Heart Saver. The request was made under K.A.R. 71-4-1, which requires the Board to approve CPR providers. After discussion and review of all course materials, it was moved and seconded to approve the CPR course. The motion passed unanimously.

G. Required Bidding Process for Investigative and Inspection Services Contract.

Lane Hemsley advised that the Board is now required to use the Department of Administration, Office of Procurement and Contracts, to seek public bids for the contract that Dr. Steve Johnson currently holds. For many years, the Board could seek approval of a no-bid contract under the provisions of K.S.A. 75-3739. The DOA, however, now requires all contracts

to be placed for open public bid. The DOA will process the bid in accordance with K.S.A. 75-37,132.

After discussion, the Board determined that it would accept bids only from licensed Kansas dentist who have a minimum of ten (10) years of practice experience. The Board also prefers that each dentist bidder have peer review experience. The Board will permit sanitation inspectors to be either dentists or dental hygienists. Lane Hemsley and Charity Carlat will work with the DOA on assembling the bid and reviewing the technical and cost proposals for each bidder.

H. Public Forum.

The Board welcomed members of the public to speak to the Board. The Board recognized Kevin Robertson, Executive Director of the KDA. Mr. Robertson provided the Board with an update on the final planning phase of the Kansas Mission of Mercy, which is scheduled for April 26 – 27, 2019, at Pitt State University.

I. President's Report: Dr. Herzog.

1. Recognition of Charles Squire, D.D.S. Mark Herzog, D.D.S., thanked Charles Squire, D.D.S., for his 8 years of hard work and dedicated service to the Board. The Board presented Dr. Squire with a plaque. Dr. Squire has officially retired from the practice of dentistry and plans to enjoy more time in Colorado.

J. Investigations Report: Dr. Herzog / Lane Hemsley. Inspections Report: Dr. Johnson.

Mark Herzog, D.D.S., and Lane Hemsley presented the status of the Investigative Committee cases from January 1, 2019, to March 13, 2019.

K. Executive Report: Lane Hemsley.

1. Budget. An update was provided on the budget approval process for FY 2020 (July 1, 2019 – June 30, 2020). Legislative hearings on the budget are now complete and the Board's budget is substantially similar to FY 2019 (July 1, 2018 – June 30, 2019).

2. Licensee and Specialty Licensee Report. License and specialty license reports were provided for October 15, 2019, to February 28, 2019.

3. SSI Filings for 2019. The Board was reminded to file Statements of Substantial Interest on or before April 30, 2019.

L. New Business / Adjournment.

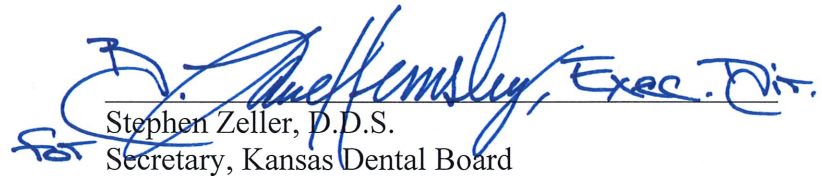
The Board received an update from Attorney Randy Forbes regarding the continued modification process of K.A.R. 71-5-11 and K.A.R. 71-5-12. The modifications include the

addition of capnography to the sedation regulations for Levels II and III respectively. The Kansas Attorney General's Office is currently reviewing the proposed modifications for legality. After the regulations are approved, the Board can schedule a public hearing on the proposed regulatory amendments.

The Board also received an update from Dr. Steve Johnson regarding teeth bling services offered within one or more Kansas tattoo businesses. The Board referred the matter to Attorney Randy Forbes, who will oversee it and consult with Dr. Johnson as needed.

Adjournment: It was moved and seconded to adjourn at 12:00 p.m. The motion passed. The meeting was adjourned.

APPROVED BY:


Stephen Zeller, D.D.S.
Secretary, Kansas Dental Board

8/21/2019
Date